

## Maine Revised Statutes

### Title 28-A: LIQUORS

#### Chapter 45: LICENSES FOR THE SALE OF LIQUOR TO BE CONSUMED OFF THE LICENSED PREMISES

##### §1205. TASTE TESTING OF WINE

**1. Taste testing on off-premise retail licensee's premises.** Subject to the conditions in subsection 2, the bureau may authorize an off-premise retail licensee stocking at least 125 different wine labels to conduct taste testings of wine on that licensee's premises. Any other consumption of alcoholic beverages on an off-premise retail licensee's premises is prohibited.

[ 2011, c. 69, §1 (AMD) .]

**2. Conditions on taste-testing activities.** The following conditions apply to taste-testing activities under this section:

A. Wine may not be served to persons who have not yet attained the age of 21 years; [ 2009, c. 459, §2 (AMD) .]

B. A person may not be served more than a total of 5 ounces of wine having an alcohol content of 14% or less; or, for wine having an alcohol content greater than 14%, a person may not be served more than a total of 3 ounces of wine; [ 2009, c. 459, §2 (AMD) .]

C. A person may not be charged a fee for any wine served as part of a taste-testing activity; [ 2009, c. 459, §2 (AMD) .]

D. A person may not be served who is visibly intoxicated; [ 2009, c. 459, §2 (AMD) .]

E. Taste testing must be limited to a designated area; [ 2009, c. 459, §2 (AMD) .]

F. Taste testing must be conducted within the hours of retail sale established in this Title; [ 2009, c. 459, §2 (AMD) .]

G. The retail licensee must obtain the written permission of the bureau before conducting any taste-testing activity; [1997, c. 373, §111 (AMD) .]

H. The retail licensee may conduct up to 3 tastings per month, including tastings conducted under sections 460 and 1207; [ 2011, c. 103, §2 (AMD) .]

I. Taste testing is not allowed in any municipality where on-premises and off-premises sales are not allowed pursuant to chapter 5; [ 2009, c. 459, §2 (AMD) .]

J. The retail licensee must notify the bureau of the date and time scheduled for all taste-testing events; [ 2009, c. 459, §2 (AMD) .]

K. The retail licensee must purchase all wine served at a taste testing from a wholesale licensee; [ 2009, c. 2, §79 (COR) .]

L. Prior to a taste-testing event, the retail licensee shall post prominently at the entrance to the store a sign that announces the date and time of the event; and [ 2013, c. 368, Pt. V, §42 (AMD) .]

M. An off-premise retail licensee, with prior approval from the bureau, may conduct an invitation-only taste-testing event at the off-premise retail licensee's premises in place of or to coincide with a taste-testing event that is open to the public. A taste-testing event that is exclusively invitation only is not subject to the posting requirement in paragraph L. [ 2009, c. 510, §6 (NEW) .]

[ 2013, c. 368, Pt. V, §42 (AMD) .]

**3. Rules.** The bureau may adopt rules to implement this section. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

[ 2013, c. 476, Pt. A, §27 (AMD) .]

#### SECTION HISTORY

1989, c. 488, (NEW). 1995, c. 30, §§4-6 (AMD). 1997, c. 373, §§110,111 (AMD). 1997, c. 414, §§1-3 (AMD). 1997, c. 683, §A16 (AMD). 2005, c. 32, §1 (AMD). RR 2009, c. 2, §§79, 80 (COR). 2009, c. 459, §2 (AMD). 2009, c. 510, §§4-6 (AMD). 2011, c. 69, §§1, 2 (AMD). 2011, c. 103, §2 (AMD). 2013, c. 368, Pt. V, §§42, 43 (AMD). 2013, c. 476, Pt. A, §27 (AMD).

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